

16.02.2023
Ct. 5
D/L 7
ab

WPA 3241 of 2023

Bijoy Chandra Kesh & Ors.

-Vs-

Asansol Durgapur Development Authority & Ors.

Mr. Imtiaz Ahmed,
Mr. Sandip Chakraborty,
Mr. Kaustav Das

... for the petitioners

Mr. Sharanya Chatterjee

... for the respondent authority

All seven writ petitioners have assailed an undated notice threatening dismantling of the allegedly unauthorized structures.

The petitioners claim to run tea stalls and other shops in Durgapur. The petitioners also claim that the petitioners were given trade licences from the Durgapur Notified Area Authority from 1993/1994 onwards. The trade licences are on record.

The Authority is represented. Learned counsel submits that The West Bengal Public Land (Eviction of Unauthorized Occupants) Act, 1962 and The West Bengal Town and Country (Planning and Development) Act, 1979 are relevant in the present case.

The impugned Notice, apart from being undated, does not contain any particulars to show that the

respondents have followed the procedure laid down under the two Acts.

WPA 3241 of 2023 is accordingly disposed of by quashing the impugned Notice and giving liberty to the parties before the Court to proceed in accordance with law.

Since affidavits have not been called for, the allegations made in the writ petition are deemed not to have been admitted.

(Moushumi Bhattacharya, J.)